

Appl. No. 10/772,191
Amendment Dated April 5, 2005
Reply to Office Action of March 8, 2004 (One month response period.)

the exterior cross-sectional configuration of said first and second tines together is generally hexagonal.

22. (original) A torque rod for tensioning flexible load restraining strips for use in securing cargo within a transport container as defined in claim 13 wherein:

said torque rod is fabricated from titanium.

23. (original) A torque rod for tensioning flexible load restraining strips for use in securing cargo within a transport container as defined in claim 13 wherein:

said torque rod is fabricated from a titanium and vanadium alloy.

REMARKS

In the outstanding Office Action reference is made in paragraph one to two claim 19s. What happened is that the body of claim 8 was incorrectly typed as the preamble of claim 19. Entry of the above amendment to claim 8 corrects this obvious error.

In paragraph two restriction to one of two groups of claims has been levied. Applicant respectfully traverses the Primary Examiner's requirement for restriction as a search for the invention of Group I will necessarily entail a search

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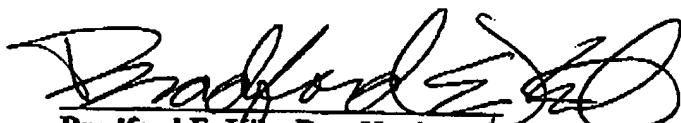
of the subject matter of the asserted invention of Group II. In any event, applicant elects for immediate prosecution the asserted invention of Group I and claims 1 – 12 for immediate examination without prejudice to applicant's right to subsequent examination of the subject matter of the invention of Group II.

Finally, in paragraph six the Office asserts that claims are directed to different species identified in figures 8 – 14 of the drawings. At least claim 1 is generic; however, applicant also elects for immediate prosecution the species disclosed in Figure 9 of the application drawings and notes that claims 1 – 7 and 10 – 12 of the invention read on that species.

With entry of the above amendment and elections it is believed that the application is now in condition for examination on the merits and allowance.

If additional fees are required, the Commissioner is hereby authorized to charge any additional fees to the undersigned's deposit account number 11-0853.

Respectfully submitted,



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